

PLANNING BOARD MEETING

Minutes, September 30 2003

Members present: Joseph Barrell, Karl Haglund, James Heigham, Deborah Emello, Andrew McClurg,

Also present: Tim Higgins, Senior Planner
Jeffrey Wheeler, Planning Coordinator

1. **7:00 p.m.** There being a quorum, Chairman Barrell opened the meeting.

2. **7:00 p.m. Executive Session**

By a roll call vote of 5-0, the Planning Board entered into Executive Session in order to discuss pending litigation.

3. **7:20 p.m. General Business**

- The minutes of September 9th were approved as written.
- The minutes of the September 9th Executive Session were approved as written.
- Henry Kazarian, resident of Banks Street, asked for clarification on July 29th minutes. He wanted to confirm that the proposed zoning amendments and corridor study would affect only properties along the corridor and not the side streets into abutting residential districts. The Board agreed with this clarification.

4. **7:25 p.m. Public Hearing on the Belmont Uplands Zoning Amendment to Allow Multi-Family Residential Development**

James Heigham read the Public Hearing notice.

Jim Ward, Attorney for O'Neill Properties, reviewed the proposed zoning amendment and highlighted the following issues:

1. delete office and R&D use and permit multi-family housing
2. the bedroom mix is still to be determined though approximately 30% of the units will be 1 bedroom units
3. under dimensional regulations changes to lot area and minimum frontage in order to accommodate a separate 5 acre parcel necessary for age restricted housing. According to Mr. Ward, this separate parcel is required under State and Federal anti-discrimination Laws, though zero lot line setbacks are proposed so that the building can appear to be connected while still maintaining the separate 5 acre lot. Other dimensional regulations will need to be adjusted accordingly.

4. changes to parking and lighting provisions to reflect multi-family use and the proposed interior garage.
5. Site Plan Review will include review of on site amenities, i.e., playground equipment
6. exclude Section 1.4, Definitions and Abbreviations, to clarify that the Uplands section supersedes interpretation from this section (as well as others already contained in the existing Uplands By-Law)

Questions from the Board

James Heigham questioned the definition of affordable housing. Jim Ward responded that the affordable definition comes from the Inclusionary By-Law.

Karl Haglund requested that one document be produced with the proposed amendments superimposed on the existing By-Law.

Andy McClurg questioned the need for the 5 acre parcel and wanted to make sure this does not preclude other opportunities or create any negative impacts. Jim Ward stated that Mark Bobrowski, the Board's Special Legal Counsel, requested this provision be included in the amendments package. Steve Corridan offered to provide research on this provision.

During a discussion of the fire road, Brian Sullivan, O'Neill's Engineering Consultant, stated that it will be constructed to be environmentally sensitive by using an impervious pavement. He also added that the road would be about 18' wide and was needed to accommodate outriggers. O'Neill also expects that walkers will utilize the road as well.

Comments from the Audience

1. Jeanne Mooney requested several changes to the proposal and asked several questions:
 - a) the By-Law be amended to reflect what is proposed to be constructed (i.e., the allowed impervious area is less and therefore should be that number). Steve Corridan responded that they are in the process of resolving the issue of the fire road with the Fire Chief and this may impact the impervious area. Jim Ward stated that he wanted to keep the amendment to a minimum and therefore if the multi-family building conformed to the existing provision than an amendment was not proposed.
 - b) the developer be responsible for yard waste, recycling and snow removal - Steve Corridan agreed that these would be the responsibilities of the developer
 - c) the site contain no salt zones – Steve Corridan stated that this could be negotiated
 - d) wanted to know if Town was going to allow building within the buffer zone - Brian Sullivan stated that DEP is reviewing the Conservation Commission's denial on the R&D facility and will be defining the wetland boundary during that review.
 - e) asked about the ability to knock down walls and make units bigger or increase number of bedrooms - Jim Ward stated that the By-Law and condominium documents will restrict the ability to move walls. He also suggested that Site Plan Review include a review of the condominium documents by the Planning Board.

f) questioned the amenities that would be provided on site - Steve Corridan stated that no services will be provided on site.

g) wondered whether home occupations would be allowed - Jim Ward said that the By-Law and condominium documents would preclude this.

2. Carolyn Bishop questioned how much of the building is in the buffer zone and requested making the building taller thereby reducing the footprint. She also requested that the property be zoned as restrictively as possible, perhaps stay with the existing limitations.

3. Fred Paulsen stated that Site Plan Review should be amended to reflect multi-family use since the existing provision was drafted for R&D. Jim Ward stated that he had reviewed the objectives and he felt that the issues were still applicable. However, he agreed to clean up this section.

4. Jim Graves expressed concerns about construction in the buffer zone and feared this project would degrade the wetlands.

5. Ernest Kirvan, a Cambridge resident representing the Belmont Citizens Forum and Alewife Coalition, reviewed a handout he drafted criticizing the proposed multi-family building.

6. David Johnson expressed concerns about isolating the elderly from the rest of the Town.

Steve Corridan stated the elderly will be scattered throughout the building, though only elderly will be allowed in the building on the 5 acre parcel. He added that the affordable units will be scattered throughout the building as well.

7. Ellen Mass requested that the zoning reflect the Open Space goals of the State.

8. Martha Moore requested that the Fire Road be shown on the plans. Jim Ward stated that this is a Site Plan Review issue and does not want to intrude on that process. Steve Corridan added that in order to accommodate the fire road without increasing lot coverage an additional level to the parking garage is proposed.

The Planning Board voted to continue the public hearing to October 21, 2003 at 7:30 p.m. in the Town Hall.

5. 8:55 p.m. Economic Development Plan

a) Workshops: Andrew McClurg described the status of Roadway Design Workshops being run by Karl Haglund, Andrew McClurg and some members of the T.A.C. It has been advertised on the website.

b) Economic Study: Jeffrey Wheeler talked about the status of the Final Report of the Economic Development Study The Office of Community Development and Cecil

group want to complete the final report along with the design guidelines. Office of Community Development stated that it needs comments within 10 days on both the design guidelines and final recommendations. The Board agreed that the Cecil Group would come to the next Planning Board meeting on the 21st at 7:00 p.m. to 7:30 p.m. for a brief presentation.

c) Zoning Amendments: Jeffrey Wheeler discussed the recent version of the proposed zoning amendments (dated 9/26/03) and mentioned that these include comments from James Heigham. The proposed text would allow a drive-up restaurant as noted by Deborah Emello. A brief discussion ensued. There are no drive-up restaurants currently in Town. Joseph Barrell asked staff to contact the Traffic Advisory Committee about the proposed changes to the restaurants.

Comments from the Audience

1. Adam Tocci from Belmont Car Wash/Waverly Landscaping was present to discuss the corridor study. He wondered why offices would be restricted on the first floor. He expressed concerns about lane designations and restrictions on lane configurations. He said the current configuration in front of the car wash is extremely harmful to his business. He also expressed concern with the new lane configuration (with barrels) at Sycamore Street and Trapelo Road. Andrew McClurg invited him to participate in the corridor segment public workshops.

6. General Business Continued

1. Tim Higgins mentioned to the Board that the Board of Selectmen will be discussing the Memorandum of Agreement on October 14th and invited the Board to participate. All agreed to be present and that the meeting should be posted accordingly.

2. Tim also reminded the Board that the Board of Selectmen had asked for a written reply on the permitting procedures memo by October 15th. The Board asked Tim to draft something and circulate it for review and comment.

3. Joe Barrell inquired about the Concord Avenue Walgreen's petition and stated that he was not aware that the petition had been withdrawn. He wanted it stated in the record that he was not aware of the petition in opposition to the Walgreen's until after the proposal had been withdrawn.

9:45 p.m. There being no further business, the meeting was adjourned.